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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,453	07/02/2008	Markus Kampmann	P19151-US1	1327

27045 7590 05/29/2009

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EXAMINER	
MASUR, PAUL H	

ART UNIT	PAPER NUMBER
2416	

MAIL DATE	DELIVERY MODE
05/29/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/597,453	KAMPMANN ET AL.	
	Examiner	Art Unit	
	Paul Masur	2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _26 July 2006_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-39_ is/are pending in the application.

4a) Of the above claim(s) _37-39_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-7,10,13,17-25,28,30,31,35 and 36_ is/are rejected.

7)☒ Claim(s) _8,9,11,12,14-16,26,27,29 and 32-34_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _26 July 2006_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _07/26/2006_.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. **The disclosure is objected to because of the following informalities:** on page 4, line 8 of the specification the applicant incorrectly spelled "Pittsburgh".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5-7, 13, 19-21, 23-25, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Walton et al. (US PG Pub 2003/0128658).

4. **As per claim 1,** Walton et al. teaches a transmission device for prioritising data elements of a data stream for transmission to a receiving device, comprising:

decodability determining means for determining a decodability of a current data element, the decodability indicating the extent to which the current data element is decodable at the receiving device [Walton, fig. 8A, element 810, paragraph 0245, "At base station 104, a data source 808 provides data (i.e., information bits) to a transmit (TX) data processor 810. For each independent data stream, TX data processor 810

(1) codes the data based on a particular coding scheme", The data is coded into OFDM scheme, which means its PN code sequence determines whether it is decodable at the receiver.];

prioritising means for assigning a priority to the current data element based on the determined decodability [Walton, fig. 8A, element 810, paragraph 0245, "At base station 104, a data source 808 provides data (i.e., information bits) to a transmit (TX) data processor 810. For each independent data stream...(2) interleaves (i.e., reorders) the coded bits based on a particular interleaving scheme", The bits are reordered accordingly.]; and

a transmitter controller for scheduling a transmission of the current data element to the receiving device based on the priority [Walton, fig. 8A, element 810, paragraph 0245, "At base station 104, a data source 808 provides data (i.e., information bits) to a transmit (TX) data processor 810. For each independent data stream...3) maps the interleaved bits into modulation symbols for one or more transmission channels selected for use for that data stream", The data is scheduled for transmission based on the determined priority.].

5. **As per claim 2,** Walton et al. teaches the transmission device of claim 1. Walton et al. also teaches wherein the decodability determining means is adapted to determine the decodability of the current data element using information on which of a plurality of data elements were transmitted to the receiving device [Walton, fig. 8A, paragraph 0245, "The coding increases the reliability of the data transmission", The coding scheme is adapted based on the other transmissions.].

6. **As per claim 3,** Walton et al. teaches the transmission device of claim 1. Walton et al. also teaches wherein the decodability determining means is adapted to receive a feedback from the receiving device indicating which of the data elements were received error free [Walton, fig. 8A, element 880, paragraph 0248, “The downlink CSI is processed (e.g., coded and symbol mapped) by a TX data processor 880, further processed by a TX MIMO processor 882, modulated by one or more modulators 854, and transmitted back to base station 104 via an uplink (or feedback) channel. The downlink CSI may be reported by the terminal using various signaling techniques, as described below”, Feedback is provided pertaining to signal quality, which in turn notifies the transmitter of errors received.].

7. **As per claim 5,** Walton et al. teaches the transmission device of claim 1. Walton et al. also teaches wherein the decodability determining means is adapted to, if the current data element requires multiple reference data elements for being fully decodable at the receiving device, determining the decodability of the current data element based on the decodabilities of the reference data elements [Walton, fig. 8A, element 810, paragraph 0245, “At base station 104, a data source 808 provides data (i.e., information bits) to a transmit (TX) data processor 810. For each independent data stream, TX data processor 810 (1) codes the data based on a particular coding scheme”, The data is coded into OFDM scheme, which means its PN code sequence determines whether it is decodable at the receiver.].

8. **As per claim 6,** Walton et al. teaches the transmission device of claim 1. Walton et al. also teaches wherein the decodability determining means is adapted to recalculate

the decodability of at least a portion of the data elements upon transmission of the current data element [Walton, fig. 8A, paragraph 0245, “The coding increases the reliability of the data transmission”, The coding scheme is adapted based on the other transmissions.].

9. **As per claim 7,** Walton et al. teaches the transmission device of claim 1. Walton et al. also teaches wherein, upon transmission of the current data element, the decodability determining means is adapted to recalculate a decodability of data elements indicated in a decoding dependency record of the current data element, the decoding dependency record indicating all data elements requiring the current data element for decoding [Walton, fig. 8A, element 810, paragraph 0245, “At base station 104, a data source 808 provides data (i.e., information bits) to a transmit (TX) data processor 810. For each independent data stream, TX data processor 810 (1) codes the data based on a particular coding scheme… The coding increases the reliability of the data transmission”, The data is coded into OFDM scheme, which means its PN code sequence determines whether it is decodable at the receiver, and is adapted based on previous transmissions.].

10. **As per claim 13,** Walton et al. teaches the transmission device of claim 1. Walton et al. teaches wherein the transmitter controller is adapted to estimate the probability of an error-free transmission over a transmission channel [Walton, paragraph 0055, “The information given by the channel estimates may also be distilled into (1) a post-processed signal-to-noise-and-interference ratio (SNR) estimate (described below) for each spatial subchannel of each frequency subchannel group, and/or (2) some other

statistic that allows the transmitter to select the proper rate for each independent data stream", Statistics regarding channel estimation can be used to estimate transmission error.].

11. **As per claim 19,** Walton et al. teaches a method for prioritising data elements of a data stream for transmission to a receiving device, comprising:

determining a decodability of a current data element, the decodability indicating the extent to which the current data element is decodable at the receiving device [Walton, fig. 8A, element 810, paragraph 0245, "At base station 104, a data source 808 provides data (i.e., information bits) to a transmit (TX) data processor 810. For each independent data stream, TX data processor 810 (1) codes the data based on a particular coding scheme", The data is coded into OFDM scheme, which means its PN code sequence determines whether it is decodable at the receiver.];

assigning a priority to the current data element based on the determined decodability [Walton, fig. 8A, element 810, paragraph 0245, "At base station 104, a data source 808 provides data (i.e., information bits) to a transmit (TX) data processor 810. For each independent data stream...(2) interleaves (i.e., reorders) the coded bits based on a particular interleaving scheme", The bits are reordered accordingly.]; and

scheduling a transmission of the current data element to the receiving device based on the priority [Walton, fig. 8A, element 810, paragraph 0245, "At base station 104, a data source 808 provides data (i.e., information bits) to a transmit (TX) data processor 810. For each independent data stream...3) maps the interleaved bits into

modulation symbols for one or more transmission channels selected for use for that data stream", The data is scheduled for transmission based on the determined priority.].

12. **As per claim 20,** Walton et al. teaches the method of claim 19. Walton et al. also teaches including determining the decodability of the current data element using information on which of a plurality o data elements were transmitted to the receiving device [Walton, fig. 8A, paragraph 0245, "The coding increases the reliability of the data transmission", The coding scheme is adapted based on the other transmissions.].

13. **As per claim 21,** Walton et al. teaches the method of claim 19. Walton et al. also teaches including receiving a feedback from the receiving device indicating which of the data elements were received error free [Walton, fig. 8A, element 880, paragraph 0248, "The downlink CSI is processed (e.g., coded and symbol mapped) by a TX data processor 880, further processed by a TX MIMO processor 882, modulated by one or more modulators 854, and transmitted back to base station 104 via an uplink (or feedback) channel. The downlink CSI may be reported by the terminal using various signaling techniques, as described below", Feedback is provided pertaining to signal quality, which in turn notifies the transmitter of errors received.].

14. **As per claim 23,** Walton et al. teaches the method of claim 19. Walton et al. also teaches wherein, if the current data element requires multiple reference data elements for being fully decodable at the receiving device, the decodability of the current data element is determined based on the decodabilities of the reference data elements [Walton, fig. 8A, element 810, paragraph 0245, "At base station 104, a data source 808 provides data (i.e., information bits) to a transmit (TX) data processor 810.

For each independent data stream, TX data processor 810 (1) codes the data based on a particular coding scheme", The data is coded into OFDM scheme, which means its PN code sequence determines whether it is decodable at the receiver.].

15. **As per claim 24,** Walton et al. teaches the method of claim 19. Walton et al. also teaches including recalculating the decodability of at least a portion of the data elements upon transmission of the current data element [Walton, fig. 8A, paragraph 0245, "The coding increases the reliability of the data transmission", The coding scheme is adapted based on the other transmissions.].

16. **As per claim 25,** Walton et al. teaches the method of claim 19. Walton et al. also teaches including, upon transmission of the current data element, recalculating a decodability of data elements indicated in a decoding dependency record of the current data element, the decoding dependency record indicating all data elements requiring the current data element for decoding [Walton, fig. 8A, element 810, paragraph 0245, "At base station 104, a data source 808 provides data (i.e., information bits) to a transmit (TX) data processor 810. For each independent data stream, TX data processor 810 (1) codes the data based on a particular coding scheme…The coding increases the reliability of the data transmission", The data is coded into OFDM scheme, which means its PN code sequence determines whether it is decodable at the receiver, and is adapted based on previous transmissions.].

17. **As per claim 31,** Walton et al. teaches the method of claim 19. Walton et al. also teaches including estimating the probability of an error-free transmission over a transmission channel [Walton, paragraph 0055, "The information given by the channel

estimates may also be distilled into (1) a post-processed signal-to-noise-and-interference ratio (SNR) estimate (described below) for each spatial subchannel of each frequency subchannel group, and/or (2) some other statistic that allows the transmitter to select the proper rate for each independent data stream", Statistics regarding channel estimation can be used to estimate transmission error.].

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

19. Claims 4, 17, 22, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walton et al. (US PG Pub 2003/0128658) in view of Salto et al. (US Patent No. 5,406,551).

20. **As per claim 4,** Walton et al. teaches the transmission device of claim 1. Walton et al. does not teach wherein the decodability determining means is adapted to, if the current data element requires a reference data element for being fully decodable at the receiving device, the set decodability of the current data element equal to the decodability of the reference data element, when the reference data element has been transmitted.

However, Salto et al. teaches wherein the decodability determining means is adapted to, if the current data element requires a reference data element for being fully decodable at the receiving device, the set decodability of the current data element equal

to the decodability of the reference data element, when the reference data element has been transmitted [Salto, abstract, “the transmission data sequence in which predetermined reference data for each carrier are placed among valid transmission data is modulated according to an orthogonal frequency division multiplexing (OFDM) modulation scheme”, Reference data is multiplexed with regular data in the same encoding scheme.].

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Salto et al. into Walton et al., since Walton et al. suggests coding data in order to perform OFDM transmissions, and Salto et al., suggests the beneficial use of reference elements in OFDM transmissions such as to provide an OFDM coding scheme [Salto, abstract] in the analogous art of OFDM transmissions.

21. **As per claim 17,** Walton et al. teaches the transmission device of claim 1. Walton et al. does not teach wherein the decodability determining means is adapted to set the decodability of the reference data element equal the decodability of a data frame containing the reference data element.

However, Salto et al. teaches wherein the decodability determining means is adapted to set the decodability of the reference data element equal the decodability of a data frame containing the reference data element [Salto, abstract, “the transmission data sequence in which predetermined reference data for each carrier are placed among valid transmission data is modulated according to an orthogonal frequency

division multiplexing (OFDM) modulation scheme", Reference data is multiplexed with regular data in the same encoding scheme.].

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Salto et al. into Walton et al., since Walton et al. suggests coding data in order to perform OFDM transmissions, and Salto et al., suggests the beneficial use of reference elements in OFDM transmissions such as to provide an OFDM coding scheme [Salto, abstract] in the analogous art of OFDM transmissions.

22. **As per claim 22,** Walton et al. teaches the method of claim 19. Walton et al. does not teach wherein, if the current data element requires a reference data element for being fully decodable at the receiving device, the decodability of the current data element is set equal to the decodability of the reference data element, when the reference data element has been transmitted.

However, Salto et al. teaches wherein, if the current data element requires a reference data element for being fully decodable at the receiving device, the decodability of the current data element is set equal to the decodability of the reference data element, when the reference data element has been transmitted [Salto, abstract, "the transmission data sequence in which predetermined reference data for each carrier are placed among valid transmission data is modulated according to an orthogonal frequency division multiplexing (OFDM) modulation scheme", Reference data is multiplexed with regular data in the same encoding scheme.].

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Salto et al. into Walton et al., since Walton et al. suggests coding data in order to perform OFDM transmissions, and Salto et al., suggests the beneficial use of reference elements in OFDM transmissions such as to provide an OFDM coding scheme [Salto, abstract] in the analogous art of OFDM transmissions.

23. **As per claim 35,** Walton et al. teaches the method of claim 19, including setting the decodability of the reference data element equal the decodability of a data frame containing the reference data element [Salto, abstract, “the transmission data sequence in which predetermined reference data for each carrier are placed among valid transmission data is modulated according to an orthogonal frequency division multiplexing (OFDM) modulation scheme”, Reference data is multiplexed with regular data in the same encoding scheme.].

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Salto et al. into Walton et al., since Walton et al. suggests coding data in order to perform OFDM transmissions, and Salto et al., suggests the beneficial use of reference elements in OFDM transmissions such as to provide an OFDM coding scheme [Salto, abstract] in the analogous art of OFDM transmissions.

24. Claims 10, 28, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walton et al. (US PG Pub 2003/0128658) in view of Ketchum et al. (US PG Pub 2004/0234004).

25. **As per claim 10,** Walton et al. teaches the transmission device of claim 1. Walton et al. also teaches wherein the decodability determining means is adapted to:

determine a decodability increase of the average decodability of the number of data elements obtainable by transmitting the current data element [Walton, paragraph 0055, “The information given by the channel estimates may also be distilled into (1) a post-processed signal-to-noise-and-interference ratio (SNR) estimate (described below) for each spatial subchannel of each frequency subchannel group, and/or (2) some other statistic that allows the transmitter to select the proper rate for each independent data stream”, Statistics regarding channel estimation can be used to estimate transmission error.]; and

determine the priority of the current data element based on the decodability increase [Walton, fig. 8A, element 810, paragraph 0245, “At base station 104, a data source 808 provides data (i.e., information bits) to a transmit (TX) data processor 810. For each independent data stream, TX data processor 810 (1) codes the data based on a particular coding scheme…The coding increases the reliability of the data transmission”, The data is coded into OFDM scheme, which means its PN code sequence determines whether it is decodable at the receiver, and is adapted based on previous transmissions.].

Walton et al. does not teach wherein the decodability determining means is adapted to: determine an average decodability of a number of data elements. However, Ketchum et al. teaches wherein the decodability determining means is adapted to: determine an average decodability of a number of data elements [Ketchum, paragraph

0010, “One straightforward technique for selecting data rates and coding and modulation schemes is to "bit load" each frequency bin of each spatial subchannel according to its transmission capability, which may be quantified by the bin's short-term average SNR”, The average of the coding scheme can be quantified as its SNR.].

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Ketchum et al. into Walton et al., since Walton et al. suggests coding data in order to perform OFDM transmissions, and Ketchum et al. suggests the beneficial use of relating a modulation scheme to SNR performance such as to determine an average scheme [Ketchum, paragraph 0010] in the analogous art of OFDM transmissions.

26. **As per claim 28,** Walton et al. teaches the method of claim 19. Walton et al. also teaches including

determining a decodability increase of the average decodability of the number of data elements obtainable by transmitting the current data element [Walton, paragraph 0055, “The information given by the channel estimates may also be distilled into (1) a post-processed signal-to-noise-and-interference ratio (SNR) estimate (described below) for each spatial subchannel of each frequency subchannel group, and/or (2) some other statistic that allows the transmitter to select the proper rate for each independent data stream”, Statistics regarding channel estimation can be used to estimate transmission error.]; and

determining the priority of the current data element based on the decodability increase [Walton, fig. 8A, element 810, paragraph 0245, “At base station 104, a data

source 808 provides data (i.e., information bits) to a transmit (TX) data processor 810. For each independent data stream, TX data processor 810 (1) codes the data based on a particular coding scheme…The coding increases the reliability of the data transmission", The data is coded into OFDM scheme, which means its PN code sequence determines whether it is decodable at the receiver, and is adapted based on previous transmissions.].

Walton et al. does not teach including determining an average decodability of a number of data elements. However, Ketchum et al. teaches determining an average decodability of a number of data elements [Ketchum, paragraph 0010, "One straightforward technique for selecting data rates and coding and modulation schemes is to "bit load" each frequency bin of each spatial subchannel according to its transmission capability, which may be quantified by the bin's short-term average SNR", The average of the coding scheme can be quantified as its SNR.];

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Ketchum et al. into Walton et al., since Walton et al. suggests coding data in order to perform OFDM transmissions, and Ketchum et al. suggests the beneficial use of relating a modulation scheme to SNR performance such as to determine an average scheme [Ketchum, paragraph 0010] in the analogous art of OFDM transmissions.

27. **As per claim 30,** Walton et al. in view of Ketchum et al. teaches the method of claim 28. Walton et al. also teaches wherein the number of data elements represents data elements of a predetermined time window of the data stream or of the entire data

stream [Walton, fig. 8A, element 810, paragraph 0245, “At base station 104, a data source 808 provides data (i.e., information bits) to a transmit (TX) data processor 810. For each independent data stream, TX data processor 810 (1) codes the data based on a particular coding scheme”, The data is coded into OFDM scheme, which means its PN code sequence determines whether it is decodable at the receiver.].

28. Claims 18 & 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walton et al. (US PG Pub 2003/0128658) in view of Kim et al. (US Patent No. 7,242,715).

29. **As per claim 18,** Walton et al. teaches the transmission device of claim 1. Walton et al. does not teach wherein the data stream is a video stream and motion compensation is disregarded.

However, Kim et al. teaches wherein the data stream is a video stream and motion compensation is disregarded [Kim, column 19, lines 11-13, “the video bitstream carries the redundant motion vector data in a user data video packet, which is ignored by the first motion decoder 1402”, The data stream contains video information, where the motion data is ignored.].

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Kim et al. into Walton et al., since Walton et al. suggests a means to encode and transmit data streams, and Kim et al. suggests the beneficial use of encoding video data such as to ignore motion compensation [Kim, column 19, lines 11-13] in the analogous art of data encoding,

30. **As per claim 36,** Walton et al. teaches the method of claim 19. Walton et al. does not teach wherein the data stream is a video stream and motion compensation is disregarded [Kim, column 19, lines 11-13, “the video bitstream carries the redundant motion vector data in a user data video packet, which is ignored by the first motion decoder 1402”, The data stream contains video information, where the motion data is ignored.].

However, Kim et al. teaches wherein the data stream is a video stream and motion compensation is disregarded [Kim, column 19, lines 11-13, “the video bitstream carries the redundant motion vector data in a user data video packet, which is ignored by the first motion decoder 1402”, The data stream contains video information, where the motion data is ignored.].

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Kim et al. into Walton et al., since Walton et al. suggests a means to encode and transmit data streams, and Kim et al. suggests the beneficial use of encoding video data such as to ignore motion compensation [Kim, column 19, lines 11-13] in the analogous art of data encoding,

Allowable Subject Matter

31. Claims 8, 9, 11, 12, 14-16, 26, 27, 29, and 32-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The reference Choi et al. (US Patent No. 7,283,508) teaches scheduling, priority management, and transmission of data within a network.

The reference Kanemoto et al. (US PG Pub 2004/0131021) teaches scheduling data for transmission within a network and applying an adaptive coding scheme to the data.

33. **Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Masur whose telephone number is (571) 270-7297.** The examiner can normally be reached on Monday through Friday from 7:00AM to 4:30PM (Eastern Time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. M./
Examiner, Art Unit 2416

/Ricky Ngo/
Supervisory Patent Examiner, Art Unit 2416